

Appl. No. : Unknown
Filed : Herewith

AMENDMENTS TO THE CLAIMS

1. (Original) A method of treating a food comprising the following steps:
selecting a food comprising at least one strain of a culture, said strain capable of surviving a pressure treatment at a predetermined pressure and pH, and
subjecting the food to a treatment pressure at or below the predetermined pressure, wherein the treatment pressure reduces, delays, prevents or eliminates growth of spoilage microflora;
wherein the treatment pressure is at least 350MPa.
2. (Original) A method according to claim 1 wherein the treatment pressure is at least 400MPa.
3. (Currently Amended) A method according to claim 1 ~~any one of the preceding claims~~ wherein the food is at a pH of between 3.0 and 8.0 when subjected to the treatment pressure.
4. (Original) A method according to claim 3 wherein the pH is between 3.6 and 4.8.
5. (Original) A method according to claim 4 wherein the pH is between 4.0 and 4.6.
6. (Currently Amended) A method according to claim 1 ~~any one of the preceding claims~~ wherein the food is a cultured dairy product.
7. (Original) A method according to claim 6 wherein the cultured dairy product is yoghurt.
8. (Currently Amended) A method according to claim 1 ~~any one of the claims 1 to 5~~ wherein the food is selected from the group consisting of a yoghurt drink, a dairy dessert, cottage cheese, cream cheese and cultured beverages.
9. (Currently Amended) A method according to claim 1 ~~any one of the preceding claims~~ wherein the strain of culture is selected from the group consisting of:
 - i) *Lactobacillus acidophilus*
 - ii) *Bifidobacterium lactis*
 - iii) *Streptococcus thermophilus*
 - iv) *Lactobacillus helveticus*
 - v) *Lactobacillus delbrukei subsp bulgaricus*;

Appl. No. : Unknown
Filed : Herewith

[[or]] and any combination thereof.

10. (Currently Amended) ~~A method of treating a food, comprising the steps:~~
~~selecting a food comprising at least one strain of a culture, A method according to~~
claim 1 wherein said strain is being a probiotic strain capable of surviving a pressure treatment at a predetermined pressure and pH, ~~and~~
~~subjecting the food to a treatment pressure at or below the predetermined pressure,~~
~~wherein the treatment pressure reduces, delays, prevents or eliminates growth of spoilage~~
~~microflora;~~
~~wherein the treatment pressure is at least 350MPa.~~
11. (Original) A method according to claim 10 wherein the probiotic strain is *Bifidobacterium*.
12. (Original) A method according to claim 11 wherein the probiotic strain is *Bifidobacterium lactis*.
13. (Original) A method according to claim 12 wherein the probiotic strain is *Bifidobacterium lactis* HN019 AGAL deposit number NM97/09513 dated 18 August 1997.
14. (Original) A method according to claim 10 wherein the probiotic strain is *Lactobacillus*.
15. (Original) A method according to claim 14 wherein the probiotic strain is *Lactobacillus acidophilus*.
16. (Currently Amended) A method according to claim 15 wherein the probiotic strain is *Lactobacillus acidophilus* HN017 AGAL deposit number NM97/09515 dated 18 August 1997.
17. (Currently Amended) A method according to claim 10 ~~any one of claims 10 to 16~~ wherein the treatment pressure is at least 400MPa.
18. (Original) A method according to claim 17 wherein the treatment pressure is at least 500MPa.
19. (Currently Amended) A method according to claim 10 ~~any one of claims 10 to 18~~ wherein the food is at a pH of between 3.0 and 4.6 when subjected to the treatment pressure.
20. (Currently Amended) A method according to claim 10 ~~any one of claims 10 to 19~~ wherein the food is selected from the group consisting of a yoghurt, a cultured dairy product, a beverage, a fruit juice [[or]] and a vegetable juice.

Appl. No. : Unknown
Filed : Herewith

21. (Currently Amended) ~~A method of treating a food comprising the following steps:~~
~~selecting a food comprising at least one~~ A method according to claim 1 wherein
said strain is a strain of a protective culture, said strain capable of surviving a pressure
treatment at a predetermined pressure and pH, and
subjecting the food to a treatment pressure at or below the predetermined pressure,
wherein treatment pressure reduces, delays, prevents or eliminates growth of spoilage
microflora;

wherein the treatment pressure is at least 350MPa.

22. (Currently Amended) The use of at least one bacterial strain in a food wherein said food is to be subjected to a treatment pressure of at least 350MPa wherein the treatment pressure reduces, delays, prevents or eliminates growth of spoilage microflora, and the bacterial strain survives, said bacterial strain being selected from the group consisting of:

i) *Lactobacillus acidophilus* HN017 AGAL deposit number NM97/09515 dated 18 August 1997;

ii) *Bifidobacterium lactis* HN019 AGAL deposit number NM97/09513 dated 18 August 1997;

iii) *Streptococcus thermophilus*;

iv) *Lactobacillus helveticus*;

v) *Lactobacillus delbrueckii subsp bulgaricus*;

vi) *Lactobacillus acidophilus*;

vii) *Bifidobacterium lactis*;

[[or]] and any combination thereof.

23. (Currently Amended) A method of treating a food comprising the following steps:
selecting a food comprising a bacterial strain selected from the group consisting of
Lactobacillus acidophilus HN017 AGAL deposit number NM97/09515 dated 18 August
1997 and *Bifidobacterium lactis* HN019 AGAL deposit number NM97/09513 dated 18
August 1997; and

subjecting the food to a treatment pressure of between 350MPa and 600MPa, at a
pH of between about 3.0 and about 8.0.

24. (Cancelled)

Appl. No. : **Unknown**
Filed : **Herewith**

25. (Currently Amended) A method according to claim 1 ~~any one of the preceding claims~~ wherein the food is subjected to the treatment pressure for less than 10 minutes.

26. (Original) A method according to claim 25 wherein the food is subjected to the treatment pressure for about 5 minutes.

27. (Original) A method according to claim 25 wherein the food is subjected to the treatment pressure less than 5 minutes.

28. (Original) A method according to claim 27 wherein the food is subjected to the treatment pressure for about 1 minute.

29. (Original) A method according to claim 27 wherein the food is subjected to the treatment pressure for less than 1 minute.

30. (Original) A method according to claim 29 wherein the food is subjected to the treatment pressure for less than 30 seconds.

31. (Original) A method according to claim 30 wherein the food is subjected to the treatment pressure for less than 5 seconds.

32. (Original) A method according to claim 31 wherein the food is subjected to the treatment pressure for about 1 second.

33. (Currently Amended) A method according to claim 1 ~~any one of the preceding claims~~ wherein the food is subjected to the treatment pressure at a temperature between about 0 degrees Celsius and 40 degrees Celsius.

34. (Original) A method according to claim 33 wherein the food is subjected to the treatment pressure at a temperature between about 0 degrees Celsius and 20 degrees Celsius.

35. (Currently Amended) A food prepared by the method of claim 1 ~~method according to any one of the preceding claims~~.

36. (Currently Amended) A food according to claim 35 wherein the food is selected from the group consisting of a yoghurt, a cultured dairy product, a beverage ~~[[or]]~~ and a fruit or vegetable juice.

37. (Original) A cultured dairy product having a pH of at least 4.0 and a viable culture of at least one hundred thousand colony-forming units per gram following a pressure treatment of at least 400MPa.

Appl. No. : Unknown
Filed : Herewith

38. (Currently Amended) ~~A cultured dairy produce with a pH of at least 4.0~~ The cultured dairy product of claim 37 having a viable culture of at least one hundred thousand colony-forming units per gram following a pressure treatment of at least 450MPa.

39. (Currently Amended) ~~A cultured dairy product with a pH of at least 4.0~~ The cultured dairy product of claim 37 having a viable culture of at least one hundred thousand colony-forming units per gram following a pressure treatment of at least 500MPa.

40. (Original) A yoghurt or yoghurt drink with a pH of at least 4.0 having a viable culture of at least one hundred thousand colony-forming units per gram following a pressure treatment of at least 600MPa.

41. (Original) A food or beverage having a viable culture count of at least one hundred thousand colony-forming units per gram of at least one strain of a probiotic bacteria following a pressure treatment of at least 400MPa for less than 10 mins.

42. (Currently Amended) ~~[[A]]~~ The food or beverage of claim 41 having a viable culture count of at least one hundred thousand colony-forming units per gram of at least one strain of a probiotic bacteria following a pressure treatment of at least 450MPa for less than 10 mins.

43. (Currently Amended) A method according to claim 1 ~~any one of claims 1 to 34~~ wherein the food has been packaged prior to being subjected to the treatment pressure.

44. (Currently Amended) Food made by the method according to claim 1 ~~any one of claims 1 to 34~~ wherein the growth of spoilage microflora is reduced, delayed, prevented or eliminated ~~organisms are inhibited~~ for an extended period of time during storage, said extended period of time being longer than that achieved by an untreated food containing a strain of culture.

45. (Original) Food according to claim 44 wherein said storage is for at least 50 days at about 4 degrees Celsius.

46. (Original) Food according to claim 44 wherein said storage is for at least 90 days at about 4 degrees Celsius.

47. (Original) Food according to claim 44 wherein said storage is for at least 15 days at 20 degrees Celsius.